JC10 Rec'd PCT/PTO 25 MAR 2005

PTO-1390 (Rev. 12-2004)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: 183.39735AX4

U.S. APPLICATION NO. (If known, see 37 CFR 1.5): 10/529220

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US2002/030471	26 September 2002	31 March 2001

TITLE OF INVENTION: PROSTEHTIC FOOT WITH TUNABLE PERFORMANCE

APPLICANT(S) FOR DO/EO/US: Barry W. TOWNSEND, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. [XX] This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. [] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. [] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. [XX] The US has been elected (Article 31).
5. [XX] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 a. [X] is attached hereto (required only if not communicated by the International Bureau).
 b. [X] has been communicated by the International Bureau.
 c. [] is not required, as the application was filed in the United States Receiving Office (RO/US).
6. [] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 a. [] is attached hereto.
 b. [] has been previously submitted under 35 U.S.C. 154(d)(4).
7. [] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 a. [] are attached hereto (required only if not communicated by the International Bureau).
 b. [] have been communicated by the International Bureau.
 c. [] have not been made; however, the time limit for making such amendments has NOT expired.
 d. [] have not been made and will not be made.
8. [] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. [X] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. [] An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. [] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. [X] A preliminary amendment.
14. [] An Application Data Sheet under 37 CFR 1.76.
15. [] A substitute specification.
16. [] A power of attorney and/or change of address letter.
17. [] A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter*.2 and 37 CFR 1.821- 1.825.
18. [] A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. [] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. [XX] Other items or information: Figs. 1-31; Request for Examination and Search Form and Credit Card Payment Form

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/529220	PCT/US2002/030471	183.39735AX4

21. The following fees are submitted:		Applicant use	Office use only
[X] a) Basic national fee	.. $300.00	$ 150.00	
[X] b) Examination fee ..	.. $200.00	$ 50.00	
[X] c) Search fee	$500.00	$ 50.00	
TOTAL OF ABOVE CALCULATIONS =	$1000.00	$ 250.00	

[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x $250.00	$	

Surcharge of $130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	$	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	23 - 20 =	3	x $25.00	$ 75.00	
Independent claims	3 - 3 =	0	x $200.00	$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $360.00	$ 0.00	
			TOTAL OF ABOVE CALCULATIONS =	$ 75.00	
[] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				$	
			SUBTOTAL =	$ 325.00	
Processing fee of $130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			+	$	
			TOTAL NATIONAL FEE =	$ 325.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $40.00 per property			+	$	
			TOTAL FEES ENCLOSED =	$ 325.00	
			Amount to be refunded:		$
			Amount to be charged		$

a. [] A check in the amount of $ _____ to cover the above fees is enclosed.

b. [] Please charge my Deposit Account No. _____ in the amount of $ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2135. A duplicate copy of this sheet is enclosed.

d. [X] Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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Ronald J. Shore
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REGISTRATION NUMBER

10/529220
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ATTACHMENT

International Application No.	International Filing Date	Attorney Docket No.
PCT/US2002/030471	26 September 2002	183.39735AX4

1. International Publication No. WO 2004/028416 – Full Copy

2. International Search Report

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(#3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barry W. TOWNSEND, et al.

Application No.: To be assigned

Filed: March 25, 2005

International Appln. No.: PCT/US2002/030471

International Filing Date: September 26, 2002

For: PROSTHETIC FOOT WITH TUNABLE PERFORMANCE

REQUEST FOR EXAMINATION AND SEARCH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 25, 2005

Sir:

Applicants respectfully request that a search and examination be conducted in the above-identified application. The necessary search fee and examination fee are enclosed herewith.

Please charge any shortage in the fees due in connection with the filing of this paper, including excess claim fees, to Deposit Account No. 01-2135 (referencing case No. 183.39735AX4), and please credit any excess fees to such deposit account.

Respectfully submitted,

Ronald J. Shore

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